

FedEx
Tracking
Number

8043 2551 0173

SLA2

Form
ID No.

0215

Sender's Copy

From Please print and press hard.

Date 10-3-14

Sender's FedEx
Account NumberSENDER'S FEDEx ACCOUNT NUMBER ONLY
1773-8427-5

Sender's Name Sgt. CRAIG DENTON

Phone (650) 599-1737

Company SAN MATEO COUNTY SHERIFF'S DEP

Address 400 COUNTY CTR

Dept./Floor/Suite/Room

City REDWOOD CITY

State CA ZIP 94063-1662

Your Internal Billing Reference

First 24 characters will appear on invoice.

OPTIONAL

To
Recipient's
Name

ERIN M. DERVIN

Phone 916.446.4692

Company MASTAGNI LAW FIRM

Address 1912 - I STREET

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Dept./Floor/Suite/Room

Address

Use this line for the HOLD location address or for continuation of your shipping address.

City SACRAMENTO

State CA

ZIP

95811

0112649674

Learn to pack like a pro.
Go to fedex.com/packaging

4 Express Package Service

* To most locations.

NOTE: Service order has changed. Please select carefully.

Next Business Day

☒ FedEx First Overnight
Earliest next business morning delivery to select locations. Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.☐ FedEx Priority Overnight
Next business morning.* Friday shipments will be delivered on Monday unless SATURDAY Delivery is selected.☐ FedEx Standard Overnight
Next business afternoon.*
Saturday Delivery NOT available.

2 or 3 Business Days

☐ FedEx 2Day A.M.
Second business morning.*
Saturday Delivery NOT available.☐ FedEx 2Day
Second business afternoon.* Thursday shipments will be delivered on Monday unless SATURDAY Delivery is selected.☐ FedEx Express Saver
Third business day.*
Saturday Delivery NOT available.

5 Packaging * Declared value limit \$500.

☐ FedEx Envelope*☒ FedEx Pak*☐ FedEx Box☐ FedEx Tube☐ Other

6 Special Handling and Delivery Signature Options

☐ SATURDAY Delivery

NOT available for FedEx Standard Overnight, FedEx 2Day A.M., or FedEx Express Saver.

☐ No Signature Required
Package may be left without obtaining a signature for delivery.☐ Direct Signature
Someone at recipient's address may sign for delivery. Fee applies.☒ Indirect Signature
If no one is available at recipient's address, someone at a neighboring address may sign for delivery. For residential deliveries only. Fee applies.

Does this shipment contain dangerous goods?

☒ No ☐ Yes
As per attached Shipper's Declaration. ☐ Yes
Shipper's Declaration not required.☐ Dry Ice
Dry Ice, 9 UN 1845 x kg

Dangerous goods (including dry ice) cannot be shipped in FedEx packaging or placed in a FedEx Express Drop Box.

☐ Cargo Aircraft Only

7 Payment Bill to:

Enter FedEx Acct. No. or Credit Card No. below.

☒ Sender
Acct. No. in Section
I will be billed.☐ Recipient☐ Third Party☐ Credit Card☐ Cash/CheckFedEx Acct. No.
Credit Card No.Exp.
Date

Total Packages

Total Weight

Total Declared Value*

1 lbs. \$.00

*Our liability is limited to US\$100 unless you declare a higher value. See back for details. By using this Airbill you agree to the service conditions on the back of this Airbill and in the current FedEx Service Guide, including terms that limit our liability.

Rev. Date 2/12 • Part #183134 • ©1994-2012 FedEx • PRINTED IN U.S.A. SRS

611

UNDERWOOD

13-1A-0045

DAVID P. MASTAGNI
JOHN R. HOLSTEDT
MICHAEL D. AMICK
CRAIG E. JOHNSON
BRIAN A. DIXON
STEVEN W. WEUTY
STUART C. WOO
DAVID F. MASTAGNI
RICHARD J. ROMANSKI
PHILLIP R.A. MASTAGNI
KATHLEEN N. MASTAGNI STORM
SEAN D. HOWELL
ISAACS STEVENS
PAUL T. DOLBERG
ANTHONY S. FRANCESCHI
IAN M. ROCHE
JEFFREY R.A. EDWARDS
DANIEL L. OSIER
JUDITH A. ODBERT
CHRISTINA J. PETRUCCA
ERIC D. LEOGER
ANDREW R. MILLER

Sacramento Office
1912 I Street
Sacramento, CA
95811-3151
(916) 446-4692
Fax (916) 447-4614
Tax ID #94-2678460



www.mastagni.com
All Correspondence to Sacramento Office

Ontario Office
400 Inland Empire Blvd STE 101
Ontario, CA
91764-5577
(909) 476-3560

Chico: (530) 895-3896
San Jose: (480) 292-4802
Stockton: (209) 948-6158

ERIN M. DERVIN
YOUNG-WOO NAM
KYLE A. WENDE
EDWARD W. LESTER
JUSTIN S. DRAKE
KENNETH E. BACON
KEVIN A. FLAUTT
GREGORY C. COMEZ
ACE T. TATE
W. DAVID CORRICK
BRANDON P. PARENTI
EMILY R. SILVER
JOHN H. BAKHIT
GRANT A. WINTER
ERUCLIA KNORR
MANUEL NIETO
ALEX O. KIAN
IAN B. SANGSTER
COSIMO G. AIELLO
JAY A. MARK
SULAIMAN S. TORH

--00000--

FACSIMILE TRANSMISSION COVER SHEET

--00000--

DATE: October 1, 2014

TO: Undersheriff Carlos Bolanos
San Mateo County Sheriff's Department
400 County Center
Redwood City, California 94063
Facsimile: (650) 599-1327

FROM: Erin M. Dervin, Esq.

FAX NUMBER: (916) 446-2857

Phone Number: (916) 491-4228

MESSAGE: Please see attached correspondence of today's date, hard copy to follow via US Mail.

TRANSMISSION CONTAINS TOTAL OF 4 PAGES, INCLUDING THIS COVER SHEET
IF YOU DO NOT RECEIVE ALL PAGES, PLEASE CONTACT THIS OFFICE @ (916) 446-4692

This facsimile transmission is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential, and exempt from disclosure under applicable law. If you are not the intended recipient, any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original fax to this office at the above address by the U.S. Postal Service. I thank you in advance for your anticipated cooperation.

DAVID P. MASTAGNI
JOHN R. HOLSTEDT
MICHAEL D. AMICK
CRAIG E. JOHNSON
BRIAN A. DIXON
STEVEN W. WELTY
STUART C. WOO
DAVID E. MASTAGNI
RICHARD J. ROMANSKI
PHILIP R.A. MASTAGNI
KATHLEEN N. MASTAGNI STORM
SEAN D. HOWELL
ISAAC S. STEVENS
PAUL T. DOLBERG
ANTHONY S. FRANCESCHI
IAN M. ROCHE
JEFFREY R.A. EDWARDS
DANIEL L. OSIER
JUDITH A. ODBERT
CHRISTINA J. PETRUCCA
ERIC D. LEDGER
ANDREW R. MILLER

Sacramento Office
1912 I Street
Sacramento, CA
95811-3151
(916) 446-4692
Fax (916) 447-4614
Tax ID #94-2678460



www.mastagni.com
All Correspondence to Sacramento Office

Ontario Office
3400 Inland Empire Blvd STE 101
Ontario, CA
91764-9577
(909) 476-3560

Chico: (530) 895-3836
San Jose: (408) 292-4802
Stockton: (209) 948-6158

ERIN M. DERVIN
YOON-WOO NAM
KYLE A. WENDE
EDWARD W. LESTER
JUSTIN S. DRAKE
KENNETH E. BACON
KEVIN A. FLAATT
GREGORY G. GOMEZ
ACE T. TATE
W. DAVID CORBRICK
BRENDON P. PARENTI
EMILY R. SILVER
JOHN H. BAKHTI
GRANT A. WINTER
ERICH A. KNORR
MANUEL NIETO
IAN B. SANGSTER
COSIMO G. AFELLO
JAY A. MARK
JOSHUA A. OLANDER

October 1, 2014

Via Facsimile & U.S. Mail

Undersheriff Carlos Bolanos
San Mateo County Sheriff's Department
400 County Center
Redwood City, California 94063
Facsimile: (650) 599-1327

**Re: Request for Pre-Disciplinary Hearing and Request for Discovery;
Deputy Galen Underwood**

Dear Undersheriff Bolanos:

I will be representing Galen Underwood during all pre-disciplinary ("Skelly") hearings and any post-disciplinary proceedings. Please accept this letter as a written request for a pre-disciplinary hearing. Prior to any disciplinary proceeding my client is entitled to any relevant information related to the proposed discipline. Relevant information includes evidence that has any tendency within reason to prove or disprove any disputed fact that is of consequence to the determination of the action or the truthfulness of a witness's testimony or of a declarant's hearsay statement. (See Evidence Code §§ 210, 780, 1202).

Penal Code § 135.5 has expanded the nature of information that must be provided to a public safety officer during any disciplinary proceeding. It is now unlawful to conceal any relevant evidence during the disciplinary process. Concealment would include knowingly not providing any relevant evidence.

Some information that may not have been relevant to you in making the decision to discipline my client, a public safety officer, is relevant to disproving the allegations or mitigating the facts or the level of proposed discipline. Therefore, I have provided a list of information I consider relevant to defending my client from the allegations in the proposed notice of discipline. Please keep in mind the information I am requesting is in addition to that information that must be provided pursuant to the case of *Skelly v. State Personnel Board* (1975) 15 Cal.3d 194.

Carlos Bolanos
October 1, 2014
Page 2

On behalf of my client I request the following information:

1. A current copy of all policies and procedures alleged to have been violated by my client.
2. All written reports prepared as a result of the allegations against my client.
3. All investigator notes.
4. Any and all documents, reports or writings regarding requests for leave from my client including, but not limited to, request for leave forms submitted by my client and any written communications regarding denials or approvals of such requested leave.
5. A copy of Galen Underwood's personnel file.
6. A copy of all radio transmissions related to this investigation.
7. All written or recorded statements of any potential witness.
8. All prior criminal history of any known potential witness related to this investigation.
9. All information that could lead to or tends to mitigate the conclusions as set forth in the proposed notice of discipline. Information includes any information known to members of your agency whether in a written form or merely within the knowledge of members of your staff.
10. All statements or utterances by my client, oral or written, however, recorded or preserved, whether or not signed or acknowledged by my client.
11. The names and addresses of any witness who may have knowledge of the events that caused the discipline to be proposed.
12. The opportunity to examine all physical evidence obtained in the investigation against my client.
13. All reports of experts, made in conjunction with the case, involving the results of physical or mental examinations, scientific tests, experimental, or comparisons which relate to the allegations as set forth in the notice of proposed discipline.
14. All photographs, motion pictures, or videotapes taken during the investigation.

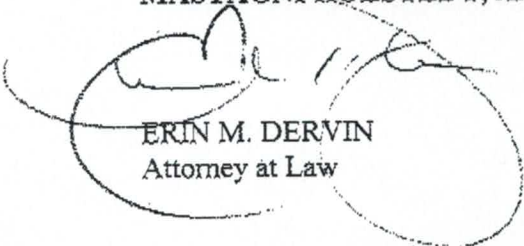
Carlos Bolanos
October 1, 2014
Page 3

15. Any exculpatory or mitigating evidence in the possession of your agency.
16. Any information relevant to the credibility of any witness.
17. Any potential rebuttal evidence in the possession of your agency.
18. Any or all relevant evidence known or in the possession of your agency.
19. Any recommendations from supervisory or management staff that differ or contradict the current conclusions or recommendation of discipline.

Please treat this request as a continuing request until this matter has been settled or adjudicated. Once we receive the above requested documents, we will schedule the *Skelly* hearing. Thank you for your anticipated cooperation.

Sincerely,

MASTAGNI HOLSTEDT, A.P.C.



ERIN M. DERVIN
Attorney at Law

EMD/mjl